

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 IO-13 ISO-00 DLOS-09 CAB-02 CIAE-00
COME-00 DODE-00 DOTE-00 INR-07 NSAE-00 EPG-02
FAA-00 OES-07 L-03 /063 W
-----151555Z 078753 /53

P R 151435Z JUN 77
FM AMCONSUL MONTREAL
TO SECSTATE WASHDC PRIORITY 9081
INFO USMISSION NEW YORK

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USUN FOR LOS DEL

E. O. 11652: GDS
TAGS: PORG, EAIR, ICAO
SUBJ: PROPOSED STATEMENT AT LOS CONFERENCE BY ICAO OBSERVER

REF: STATE 134651

1. PER TELEPHONE INSTRUCTIONS JUNE 10 FROM GRAVATT/EB AND LARSEN/DOT (PRIOR TO RECEIPT OF REFTEL AT COB), USREP AND UKREP MET WITH PRESIDENT COUNCIL AFTERNOON JUNE 10 WITH REQUEST THAT STATEMENT OF ICAO OBSERVER AT LOS CIRCULATED MAY 17 NOT BE PRESENTED AND OBSERVER REFRAIN FROM COMMENTING AT LOS CONFERENCE.

2. PRESIDENT QUICKLY POINTED OUT THAT STATEMENT WAS CIRCULATED MONTH AGO WITH 10 DAY DEADLINE AND THAT US HAD NOT COMMENTED WITHIN 10 DAYS, AND THAT UK COMMENTS HAD BEEN INCORPORATED IN PROPOSED OBSERVER STATEMENT. NO OTHER FORMAL COMMENTS HAD BEEN RECEIVED ALTHOUGH PRC HAD VERBALLY EXPRESSED DISSATISFACTION WITH PARA 5 OF STATEMENT AND BRAZIL AND MEXICO HAD VERBALLY REITERATED THEIR OPPOSITION TO ANY STATEMENT BY ICAO. IN VIEW OF STRONG OPPOSITION IN COUNCIL DISCUSSIONS, AND PERSISTENCE US/UK REPS, PRESIDENT COUNCIL AGREED TO APPROACH SEVERAL COUNCIL REPS INFORMALLY IN HOPE OF FIRMING UP AN OBVIOUS

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MAJORITY FOR RETURNING TO STATUS QUO ANTE, THAT IS, NO STATEMENT BY ICAO OBSERVER. HE ADVISED USREP AND UKREP THAT UNLESS WE HEARD FROM HIM HE WOULD ANTICIPATE CASUALLY MAKING THIS SUGGESTION UNDER "OTHER BUSINESS" JUNE 13.

3. AT END OF COUNCIL MEETING JUNE 13 HE MADE BRIEF PRESENTATION TO THE EFFECT THAT "SEVERAL REPS" HAD NOT BEEN ABLE TO REACH

AGREEMENT ON CONTENT OF PROPOSED STATEMENT AND IN VIEW OF THE TIME LIMIT IT WAS NOT POSSIBLE TO MAKE FURTHER EFFORTS. THEREFORE HE SUGGESTED THAT UNLESS THERE WAS OBJECTION COUNCIL AGREE THAT THERE WOULD BE NO STATEMENT BY ICAO OBSERVER AT LOS. BY PRIOR AGREEMENT SENEGAL REP MADE STRONG STATEMENT FOR RECORD ONLY THAT THIS WAS BAD PROCEDURE AND HE FELT THE MATTER SHOULD BE RE-OPENED FOR COUNCIL DISCUSSION. MADAGASCAR REP, WHO ALWAYS DOES WHAT SENEGAL DOES, ASSOCIATED HIMSELF. AT THIS POINT GERMANY REP, NOT KNOWING THE GAME, PROPOSED THAT THE QUESTION COME BACK TO COUNCIL ON AN OB WITH A WORKING PAPER FOR THOROUGH DISCUSSION SINCE HE AND OTHERS HAD SENT THE MAY 17 STATEMENT TO THEIR LOS DELS. PRESIDENT HANDLED THIS WELL AND GERMANY DID NOT PURSUE BUT BRAZIL FELT OBLIGED TO WEIGH IN. HE REITERATED OPPOSITION TO ANY STATEMENT BEING GIVEN BUT POINTED UP THE ECONOMIC ZONE ISSUE EMPHASIZING THAT WHATEVER THE LOS DECIDED IS NOT BINDING ON ICAO AND WE CAN CONSIDER THE IMPLICATIONS FOR AVIATION AND CHICAGO CONVENTION AFTER LOS. SENEGAL ASKED THAT THE COUNCIL DECISION ON THIS MATTER BE READ OUT WHICH LED TO CONFIRMATION BY THE PRESIDENT THAT STATUS QUO ANTE MEANT NO ICAO STATEMENT BUT FACTUAL REPLIES TO QUESTIONS IF PUT. FRANCE INTERVENED TO ADVISE COUNCIL THAT "HE KNOWS A CERTAIN DELEGATION WHICH WILL ASK A QUESTION ABOUT AIR LAW." FYI: AFTER MEETING USREP EXPLAINED PROBLEM TO FRANCE WHO HAD THOUGHT WE WERE TRYING TO LIMIT THE OBSERVER'S ANSWERS TO TEXT OF THE PROPOSED STATEMENT. ON UNDERSTANDING SITUATION, FRANCE (AND UK) BOTH INDICATED NO PROBLEM WITH OBSERVER ANSWERING QUESTIONS FACTUALLY, POINTING OUT THAT THEIR DELS CAN TIME THE QUESTIONS TO BE USEFUL. END FYI.

4. COUNCIL ACCEPTED THE PRESIDENT'S SUGGESTION BY CONSENSUS. THE
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ICAO OBSERVER IS GOING TO NEW YORK JUNE 20. HE WILL NOT MAKE A STATEMENT. IF QUESTIONS ARE ADDRESSED TO HIM HE WILL GIVE FACTUAL ANSWERS BASED ON CHICAGO CONVENTION, NOTHING MORE.

5. USREP WOULD APPRECIATE EARLY REPORT ON OBSERVER'S ANSWERS TO QUESTIONS IF ANY, AND ANY INFORMAL PARTICIPATION ON MAJOR ISSUES.
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Message Attributes

Automatic Decaptoning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: LAW OF THE SEA, SPEECHES, MEETING OBSERVERS, MEETINGS
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Decapton Date: 01-Jan-1960 12:00:00 am
Decapton Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977MONTRE00966
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770213-1071
Format: TEL
From: MONTREAL
Handling Restrictions: n/a
Image Path:
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Legacy Key: link1977/newtext/t19770654/aaaabvqj.tel
Line Count: 104
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Litigation Codes:
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Locator: TEXT ON-LINE, ON MICROFILM
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Office: ACTION EB
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 77 STATE 134651
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 28-Dec-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2144013
Secure: OPEN
Status: NATIVE
Subject: PROPOSED STATEMENT AT LOS CONFERENCE BY ICAO OBSERVER
TAGS: PORG, EAIR, ICAO
To: STATE
Type: TE
vdkgvgwkey: odbc://SAS/SAS.dbo.SAS_Docs/181d777c-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009